Calendar No. 1049

98TH CONGRESS
2d Session

SENATE

REPORT
98-553

DESIGNATING THE HARRY R.E. HAMPTON VISITOR CENTER AT CONGAREE SWAMP NATIONAL MONUMENT, SOUTH CAROLINA

JULY 17, 1984.—Ordered to be printed

Filed under authority of the order of the Senate of June 29 (legislative day, June 25), 1984

Mr. MCCLURE, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany S. 1889]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 1889) to amend the Act authorizing the establishment of the Congaree Swamp National Monument to provide that at such time as the principal visitor center is established, such center shall be designated as the "Harry R.E. Hampton Visitor Center", having considered the same, reports favorably thereon without amendment, and recommends that the bill do pass.

PURPOSE

The purpose of S. 1889 is to amend Public Law 94-545 (90 Stat. 2517) to provide for the naming of the principal visitor center at Congaree Swamp National Monument in South Carolina for conservationist Harry Hampton.

BACKGROUND

Harry Hampton was born near Columbia, South Carolina, on July 8, 1897, and died in 1980. He worked as a reporter, columnist, and coeditor for the State newspaper, writing his "Woods and Water" column for more than 30 years.

Until his death, Harry Hampton worked tirelessly for the cause of conservation. In 1931, he helped create the South Carolina Game

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and Fish Association, and was active in the formation of the State's wildlife and marine resources department. He began his efforts on behalf of Congaree Swamp in 1954. For more than 20 years, he attended meetings, made speeches, wrote articles, and personally escorted people into the swamp to document trees, birds, and other wildlife, all to stimulate an awareness of the area's beauty and value as a prime example of a southern hardwood forested swamp.

Due in part to the efforts of Harry Hampton in building public awareness and support, Congress enacted legislation in 1976 establishing the Congaree Swamp National Monument.

Legislative History

S. 1889 was introduced by Mr. Thurmond on September 27, 1983. A hearing before the Subcommittee on Public Lands and Reserved Water was held on May 22, 1984. In testimony the Administration recommends enactment of the measure.

At a business session on June 27, 1984, the Committee on Energy and Natural Resources ordered S. 1889 favorably reported.

Committee Recommendations and Tabulation of Votes

The Senate Committee on Energy and Natural Resources, in open business session on June 27, 1984, by a unanimous vote of a quorum present recommends that the Senate pass S. 1889 without amendment.

The roll call vote on reporting the measure was 20 yeas, 0 nays as follows:

YEAS	NAYS
Mr. McClure	
Mr. Hatfield [1]	
Mr. Weicker	
Mr. Domenici [1]	
Mr. Wallop	
Mr. Warner	
Mr. Murkowski [1]	
Mr. Nickles	
Mr. Hecht [1]	
Mr. Chaffee [1]	
Mr. Heinz [1]	
Mr. Evans	
Mr. Johnston [1]	
Mr. Bumpers	
Mr. Ford	
Mr. Matsunaga	
Mr. Melcher	
Mr. Tsongas [1]	
Mr. Bradley	
Mr. Levin [1]	

[1] Indicates voted by proxy.

Cost and Budgetary Considerations

The Committee does not intend that this measure (S. 1889) authorize any additional budget authority for fiscal year 1984 and

fiscal year 1985 than that already available to the Department of the Interior. The Committee intends that if any fiscal year 1984 and fiscal year 1985 costs are incurred from implementation of the bill that they will be absorbed within funds otherwise available to the Department of the Interior.

The following estimate of the cost of this measure has been provided by the Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 29, 1984.

Hon. JAMES A. MCCLURE,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed S. 1889, as ordered reported by the Senate Committee on Energy and Natural Resources, June 27, 1984. We estimate that enactment of this bill would result in no additional cost to federal, state or local governments.

The bill amends Public Law 94-545 authorizing the establishment of the Congaree Swamp National Monument by designating the Monument's Visitor Center as the "Harry R. E. Hampton Visitor Center."

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

ERIC HANUSHEK
(For Rudolph G. Penner).

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of Rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 1889. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 1889 as reported.

EXECUTIVE COMMUNICATIONS

The pertinent legislative reports received by the Committee from the Department of the Interior setting forth executive agency recommendations relating to S. 1889 are set forth below:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, DC, June 29, 1984.

Hon. JAMES A. MCCLURE,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: This responds to your request for our views on S. 1889, a bill "To amend the Act authorizing the establishment of the Congaree Swamp National Monument to provide that at such time as the principal visitor center is established, such center shall be designated as the 'Harry R.E. Hampton Visitor Center'."

We recommend enactment of S. 1889.

S. 1889 provides for the designation of the principal visitor center, when built, as the "Harry R.E. Hampton Visitor Center" in honor of Hampton's role in establishing the Congaree Swamp National Monument, South Carolina, as a unit of the National Park System.

Harry Rutledge Elliott Hampton was born on July 8, 1897, near Columbia, South Carolina. After graduating with a degree in English from the University of South Carolina, Mr. Hampton pursued a vocation as a newspaper reporter, columnist, and coeditor. His avocation, however, was that of an ardent conservationist. In fact, in 1931, he helped create the South Carolina Game and Fish Association and was later active in the formation of South Carolina's Wildlife and Marine Resources Department. By 1954, Mr. Hampton had started his efforts to raise the public's awareness of the beauty and value of Congaree Swamp as a southern hardwood forested swamp. As a result of his efforts, as well as those of others, the Congress passed an Act, signed into law on October 18, 1976, establishing the Congaree Swamp National Monument. Mr. Hampton died in 1980.

We believe that such a designation is truly fitting in light of Mr. Hampton's long history of involvement not only with Congaree Swamp National Monument but also with other conservation issues as well.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

G. RAY ARNETT,
Assistant Secretary.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill S. 1889 as ordered reported are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

[Public Law 94-545—Oct. 18, 1976, 90 Stat. 2517]

AN ACT To authorize the establishment of the Congaree Swamp National Monument in the State of South Carolina, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve and protect for the education, inspiration, and enjoyment of present and future generations an outstanding example of a near-virgin southern hardwood forest situated in the Congaree River floodplain in Richland County, South Carolina, there is hereby established the Congaree Swamp National Monument (hereinafter referred to as the "monument"). The monument shall consist of the area within the boundary as generally depicted on the map entitled "Congaree Swamp National Monument", numbered CS-80, 001-B, and dated August 1976 (generally known as the Beidler Tract), which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. Following reasonable notice in writing to the Committees on Interior and Insular Affairs of the Senate and House of Representatives of his intention to do so, the Secretary of the Interior (hereinafter referred to as the "Secretary") may make minor revisions of the boundary of the monument by publication of a revised map or other boundary description in the Federal Register, but the total area may not exceed fifteen thousand, two hundred acres.

SEC. 2. (a) Within the monument the Secretary is authorized to acquire lands, waters, and interests therein by donation, purchase with donated or appropriated funds, or exchange. Any lands or interests therein owned by the State of South Carolina or any political subdivision thereof may be acquired only by donation.

(b) With respect to any lands acquired under the provisions of this Act which at the time of acquisition are leased for hunting purposes, such acquisition shall permit the continued exercise of such lease in accordance with its provisions for its unexpired term, or for a period of five years, whichever is less: *Provided,* That no provision of such lease may be exercised which, in the opinion of the Secretary, is incompatible with the preservation objectives of this Act, or which is inconsistent with applicable Federal and State game laws, whichever is more restrictive.

SEC. 3. (a) The Secretary shall administer property acquired for the monument in accordance with the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and the provisions of this Act.

(b) The Secretary shall permit sport fishing on lands and waters under his jurisdiction within the monument in accordance with applicable Federal and State laws, except that he may designate zones where and establish periods when no fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any regulations promulgated under this subsection shall be placed in effect only after consultation with the appropriate fish and game agency of the State of South Carolina.

(c) At such time as the principal visitor center at such monument is established, such center shall be designated as the "Harry R. E. Hampton Visitor Center".

SEC. 4. Within three years from the effective date of this Act, the Secretary shall review the area within the monument and shall report to the President, in accordance with subsections (3)(c) and 3(d) of the Wilderness Act (78 Stat. 890. 890; 16 U.S.C. 1132 (c) and (d)), his recommendation as to the suitability or nonsuitability of any area within the monument for preservation as wilderness, and any designation of any such area as wilderness shall be accomplished in accordance with said subsections of the Wilderness Act.

SEC. 5. (a) The Secretary may not expend more than $35,500,000 from the Land and Water Conservation Fund for land acquisition nor more than $500,000 for the development of essential facilities.

(b) Within three years from the effective date of this Act the Secretary shall, after consulting with the Governor of the State of South Carolina, develop and transmit to the Committees on Interior and Insular Affairs of the United States Congress a general management plan for the use and development of the monument consistent with the purposes of this Act, indicating:

(1) the lands and interests in lands adjacent or related to the monument which are deemed necessary or desireable for the purposes of resource protection, scenic integrity, or management and administration of the area in furtherance of the purposes of this Act and the estimated cost thereof;

(2) the number of visitors and types of public use within the monument which can be accommodated in accordance with the protection of its resources;

(3) the location and estimated cost of facilities deemed necessary to accommodate such visitors and uses.

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